

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

DRAPER, INC.,

Plaintiff,

v.

Case No. 1:14-cv-1737

VUTEC CORPORATION,

JURY TRIAL DEMANDED

Defendant.

**COMPLAINT AND
DEMAND FOR JURY TRIAL**

DRAPER, INC. (“Draper”) by and through its undersigned attorneys Hansen Reynolds Dickinson Crueger LLC, hereby files this complaint for patent infringement against VUTEC CORPORATION (“Vutec”) and alleges as follows:

THE PARTIES

1. Draper is a duly organized and operating Indiana corporation whose principal place of business is located at 411 South Pearl St., Spiceland, Indiana 47385. Draper provides consumers with products such as projection screens, window shades, projector lifts and mounts and other home theater accessories.

2. Upon information and belief, Vutec is a duly organized and operating Florida Corporation whose principal place of business is located at 11711 West Sample Rd., Coral Springs, Florida 33065. Vutec designs and manufactures projection screens and audio-visual accessories. Vutec advertises its products for sale nationally, and has advertised, marketed and

sold products infringing Draper's intellectual property rights within the State of Indiana and this district.

JURISDICTION AND VENUE

3. This is an action for patent infringement under the patent laws of the United States, 35 U.S.C. §§ 271, *et seq.*

4. This Court has jurisdiction over the subject matter of this patent infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Vutec because Vutec has committed acts of patent infringement within the State of Indiana giving rise to this action. Vutec's electronic commerce advertisements, offers for sale, and sales have established at least minimum contacts with the forum such that the exercise of jurisdiction over it would not offend traditional notions of fair play and substantial justice.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(a), 1391(b), 1391(c) and 1400(b) for at least the reasons that Vutec has committed acts within this judicial district giving rise to this action and does business in this district, including sales, offers for sale, and providing service and/or support to its customers in this district.

COUNT I

(Vutec Motorized Projection Screen Model – LECTRIC I-C)
Patent Infringement of United States Patent No. 6,532,109)

7. Paragraphs 1 through 6 are incorporated by reference as if fully set forth herein.

8. United States Patent No. 6,532,109 is titled "Roller Operated System with Mounting Assembly for Multi-Stage Installation." United States Patent No. 6,532,109 was

duly and legally issued on March 11, 2003. A true and correct copy of United States Patent No. 6,532,109 is attached as Exhibit A.

9. Draper is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 6,532,109 and possesses all rights of recovery under the patent including the right to recover damages for past infringement.

10. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC I-C motorized projection screen. The LECTRIC I-C is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,532,109.

11. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,532,109.

12. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,532,109.

13. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT II

(Vutec Motorized Projection Screen Model - LECTRIC III-C) Patent Infringement of United States Patent No. 6,532,109)

14. Paragraphs 1 through 9 are incorporated by reference as if fully set forth herein.

15. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the

LECTRIC III-C motorized projection screen. The LECTRIC III-C is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,532,109.

16. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,532,109.

17. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,532,109.

18. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT III

(Vutec Motorized Projection Screen Model – LECTRIC II-e)
Patent Infringement of United States Patent No. 6,532,109)

19. Paragraphs 1 through 9 are incorporated by reference as if fully set forth herein.

20. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC II-e motorized projection screen. The LECTRIC II-e is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,532,109.

21. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,532,109.

22. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,532,109.

23. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT IV

(Vutec Motorized Projection Screen Model – LECTRIC IV-e)
Patent Infringement of United States Patent No. 6,532,109)

24. Paragraphs 1 through 9 are incorporated by reference as if fully set forth herein.

25. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC IV-e motorized projection screen. The LECTRIC IV-e is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,532,109.

26. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,532,109.

27. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,532,109.

28. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT V

(Vutec Motorized Projection Screen Model – LECTRIC I-C)
Patent Infringement of United States Patent No. 6,816,308)

29. Paragraphs 1 through 6 are incorporated by reference as if fully set forth herein.

30. United States Patent No. 6,816,308 is titled "Screen System." United States Patent No. 6,816,308 was duly and legally issued on November 9, 20014. A true and correct copy of United States Patent No. 6,816,308 is attached as Exhibit B.

31. Draper is the lawful assignee of the entire right, title, and interest in and to U.S. Patent No. 6,816,308 and possesses all rights of recovery under the patent including the right to recover damages for past infringement.

32. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC I-C motorized projection screen. The LECTRIC I-C is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,816,308.

33. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,816,308.

34. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,816,308.

35. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT VI

(Vutec Motorized Projection Screen Model – LECTRIC III-C)
Patent Infringement of United States Patent No. 6,816,308)

36. Paragraphs 1 through 6, and 29 through 31 are incorporated by reference as if fully set forth herein.

37. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC III-C motorized projection screen. The LECTRIC III-C is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,816,308.

38. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,816,308.

39. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,816,308.

40. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT VII

(Vutec Motorized Projection Screen Model – LECTRIC II-e)
Patent Infringement of United States Patent No. 6,816,308)

41. Paragraphs 1 through 6, and 29 through 31 are incorporated by reference as if fully set forth herein.

42. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC II-e motorized projection screen. The LECTRIC II-e is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,816,308.

43. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,816,308.

44. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,816,308.

45. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

COUNT VIII

(Vutec Motorized Projection Screen Model – LECTRIC IV-e)
Patent Infringement of United States Patent No. 6,816,308)

46. Paragraphs 1 through 6, and 29 through 31 are incorporated by reference as if fully set forth herein.

47. Upon information and belief, Vutec has been and is now making, using, selling, and offering for sale within the United States, or importing into the United States, the LECTRIC IV-e motorized projection screen. The LECTRIC IV-e is a motorized projection screen that infringes one or more claims of U.S. Patent No. 6,816,308.

48. Draper has no adequate remedy at law against Vutec's acts of infringement and will suffer irreparable harm unless Draper is preliminarily and permanently enjoined from its infringement of U.S. Patent No. 6,816,308.

49. Upon information and belief, Vutec's infringement has been willful, deliberate, and with knowledge of Draper's rights under U.S. Patent No. 6,816,308.

50. Vutec, by way of its infringing activity, has caused and continues to cause Draper to suffer damages in an amount to be determined at trial.

PRAYER FOR RELIEF

Wherefore, Draper prays for judgment against Vutec, granting Draper the following relief:

A. That this Court adjudge and decree that U.S. Patent Nos. 6,532,109 and 6,816,308 are valid and enforceable against Vutec and that Vutec has infringed and continues to infringe the patents;

B. That this Court grant injunctions enjoining the aforesaid acts of infringement by Vutec, its officers, agents, servants, employees, subsidiaries and attorneys, and those acting in concert with it, including related individuals and entities, customers, representatives, OEMs, dealers, and distributors;

C. That this Court enter an award to Draper of such damages as it shall prove at trial against Vutec that are adequate to compensate Draper for said infringement as permitted under the Patent Act;

D. That this Court order an award to Draper of up to three times the amount of compensatory damages because of Vutec's willful infringement and any enhanced damages as provided by 35 U.S.C. § 284;

E. That this Court render a finding that this case is "exceptional" and award Draper its costs and reasonable attorneys' fees, as provided by 35 U.S.C. § 285.

F. That this Court award Draper any profits that Draper lost due to Vutec's infringement of U.S. Patent Nos. 6,532,109 and 6,816,308.

G. That this Court award Draper pre-judgment and post-judgment interests on damages; and

H. That this Court grant to Draper such other, further, and different relief as may be just and proper.

JURY TRIAL DEMAND

Draper respectfully demands a trial by jury of any and all issues triable of right before a jury pursuant to Fed. R. Civ. P. 38.

Dated October 23, 2014

Hansen Reynolds Dickinson Crueger LLC

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